

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

CENTER CAPITAL CORPORATION)	
)	Civil Action.: JFM-03-400
Plaintiff,)	
)	
v.)	
)	
STEVEN TIMCHULA, CHARLES)	
THOMAS, and the ESTATE OF)	
JAMES BLAKE,)	
Defendants.)	

**AFFIDAVIT OF KENNETH D. PETERS IN
SUPPORT OF REQUEST FOR ATTORNEYS' FEES**

I, KENNETH D. PETERS, being first duly sworn upon oath, depose and state as follows:

1. I am an associate attorney employed by ASKOUNIS & BORST, P.C. ("ABPC") and am licensed to practice law in State of Illinois.
2. ABPC, represents the Plaintiff, CENTER CAPITAL CORPORATION, (hereinafter "CENTER CAPITAL"), in the above captioned matter.
3. CENTER CAPITAL is entitled to \$11,201.32 in fees for services rendered to date in this matter and requests leave to file an amended fee schedule, taking into account additional expenses incurred. Current charges are based upon ABPC's hourly billing records, created contemporaneously with the rendering of legal services, a copy of which is attached hereto as Exhibit 1.
4. In addition, our firm incurred \$2,242.99 in costs in this matter on behalf of CENTER CAPITAL a copy of which is attached hereto as Exhibit 2. These costs include the fees of local counsel.

5. The total fees and costs incurred, to date, by ABPC on behalf of CENTER CAPITAL in connection with the representation of CENTER CAPITAL in the above referenced matter is \$13,444.31.

6. The number of hours spent and the rate charged per hour is fair and reasonable, and within the normal standards of the legal community for the type of services performed.

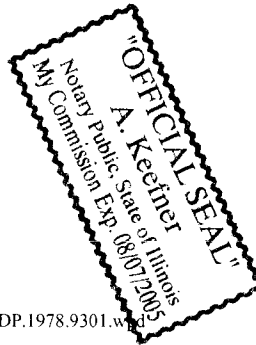
FURTHER AFFIANT SAYETH NAUGHT.

Kenneth Peters
Kenneth D. Peters, Esq.
Askounis & Borst, P.C.

SUBSCRIBED AND SWORN to before me

this 6th day of June, 2003.

A. Keefner
Notary Public



U:\NVizzini\Center Capital\Environmental Recycling\Pleadings\Aff.4.Fees.KDP.1978.9301.w

Client	Date	Atty	Cat	Src	H T B R				Tcd	Rate	Hours	Amount	
					P	X	C	C					
1978.09301	11/20/02	6	2		A	2			11		0.10	0.00	Non-billable time; performed conflict check.
1978.09301	11/20/02	13	2		A				17	200.00	0.30	60.00	Review of new file and planned strategy regarding same.
1978.09301	11/21/02	13	2		A				1	200.00	1.30	260.00	Drafted Motion to Modify Automatic Stay; preparation of email to Ms. Levy regarding UCC issues and claim issues.
1978.09301	11/22/02	13	2		A				3	200.00	0.20	40.00	Telephone conference with Ms. Levy regarding guarantor issues.
1978.09301	11/25/02	9	2		A				18	120.00	0.80	96.00	Revision of Motion; PACER research on case status; review of docket; revision of Request for Notices and service list; conference with Mr. Dressler regarding strategy and claim; memo to file.
1978.09301	11/25/02	13	2		A				1	200.00	0.20	40.00	Reviewed and executed Request for Notices.
1978.09301	11/30/02	16	2		A				17	200.00	3.30	660.00	Review of Master Loan and Security Agreement Number 18099, Loan Schedules 4, 5, 6, and 7, personal guaranties, etc...; dictation of demand letters; dictation of Complaint.
1978.09301	12/05/02	16	2		A				1	200.00	0.10	20.00	Finalize demand letter to Tmichula and Thomas.
1978.09301	12/10/02	9	2		A				18	120.00	0.30	36.00	Revision of Motion; preparation of letter to United States Bankruptcy Court; filing of Request for Notice; memo to file.
1978.09301	12/12/02	13	2		A				18	200.00	0.40	80.00	Revision of Order regarding stay modification; telephone conference with Court regarding hearing on Motion to Modify.
1978.09301	12/14/02	16	2		A				1	200.00	1.80	360.00	Finalize Complaint and Exhibits; preparation of correspondence to local counsel regarding filing same.
1978.09301	12/17/02	13	2		A				3	200.00	0.20	40.00	Telephone conference with Debtor's Attorney regarding adequate protection issues.
1978.09301	12/18/02	13	2		A				3	200.00	0.40	80.00	Telephone conference with Mr. Preston regarding hearing date on Motion for Relief; preparation of email to Mr. Preston regarding same.
1978.09301	12/19/02	13	2		A				17	200.00	0.20	40.00	Review of local rules regarding Motions for Relief.
1978.09301	12/20/02	12	2		A				1	100.00	0.20	20.00	Review of documents received from Bankruptcy Court; memo to file.
1978.09301	01/03/03	13	2		A				18	200.00	1.30	260.00	Revision of Motion for Relief; prepared service list and Notice of Motion; reviewed local rules regarding service issues.
1978.09301	01/06/03	13	2		A				3	200.00	0.20	40.00	Telephone conference with Court regarding hearing date issues.
1978.09301	01/07/03	9	2		A				17	120.00	0.40	48.00	Review of loan documents; preparation of Proof of Claim and Exhibits; conference with Mr. Dressler; memo to file.
1978.09301	01/07/03	16	2		A				17	200.00	4.00	800.00	Review of returned correspondence regarding demand on Personal Guarantor; telephone conference with local counsel regarding estate claim and per diem; legal research regarding Connecticut law on interest charges; review of facsimile regarding estate claim; review of loan documents; preparation of notes; legal research regarding Maryland estate law.
1978.09301	01/07/03	13	2		A				3	200.00	1.60	320.00	Telephone conference with Judge's clerk regarding hearing issues; prepared Exhibits to Motion for Relief; revised Order and service list; drafted letter to Mr. Turner regarding service issues; prepared 80 party service list.

EXHIBIT 1

ASKOUNIS & BORST, P.C.

Client	Date	Atty	Cat	Src	H P	T X	B C	R C	Tcd	Rate	Hours	Amount	
1978.09301	01/08/03	16	2	A					3	200.00	0.20	40.00	Telephone conference with Ms. Levy regarding estate claim issues concerning James Blake; preparation of e-mail to Ms. Levy regarding same.
1978.09301	01/17/03	13	2	A					33	200.00	0.20	40.00	Review of e-mail from client regarding value of additional collateral.
1978.09301	01/21/03	13	2	A					17	200.00	0.40	80.00	Review of answer to Motion for Relief filed by the Debtor; preparation of email to Ms. Levy regarding same; memo to file regarding same.
1978.09301	01/22/03	9	2	A					3	120.00	0.30	36.00	Telephone conference with Mr. Rosenblatt regarding Motion Practice; telephone conference with United States Bankruptcy Court; conference with Mr. Dressler.
1978.09301	01/22/03	13	2	A					3	200.00	0.40	80.00	Telephone conference with client regarding equipment schedules; telephone conference with Debtor's Attorney regarding adequate protection issues.
1978.09301	01/24/03	13	2	A					18	200.00	0.30	60.00	Revision of Proof of Claim.
1978.09301	01/27/03	9	2	A					18	120.00	0.70	84.00	Revision of Proof of Claim and Exhibits; preparation of letter to United States Bankruptcy Court; preparation of letter to Debtor's Attorney; filing of Proof of Claim; preparation of letter to client; update spreadsheet; memo to file.
1978.09301	01/27/03	13	2	A					3	200.00	0.70	140.00	Telephone conference with Debtor's counsel regarding adequate protection; commenced drafting adequate protection Agreement.
1978.09301	01/29/03	13	2	A					1	200.00	0.40	80.00	Commenced drafting adequate protection Agreement.
1978.09301	01/30/03	13	2	A					1	200.00	1.10	220.00	Drafted adequate protection Order; telephone conference with Court clerk regarding hearing on Motion for Relief; telephone conference with Preston Turner.
1978.09301	01/31/03	13	2	A					3	200.00	0.50	100.00	Telephone conference with Debtor's Attorney regarding Settlement Agreement; preparation of email to Debtor's Attorney regarding same.
1978.09301	02/02/03	16	2	A					1	200.00	0.10	20.00	Review of file regarding monthly status report.
1978.09301	02/04/03	13	2	A					3	200.00	0.30	60.00	Telephone conference with Mr. Livingston regarding entry of Agreed Order; review of Order regarding Motion to Enlarge Time.
1978.09301	02/05/03	13	2	A					18	200.00	0.20	40.00	Revision of Notice of Agreed Stipulation; review of executed adequate protection Agreement.
1978.09301	02/06/03	12	2	A					3	100.00	0.20	20.00	Telephone conference with Debtor's Attorney regarding Agreed Order.
1978.09301	02/07/03	9	2	A					8	120.00	0.20	24.00	Review of letter from United States Bankruptcy Court; memo to file.
1978.09301	02/11/03	16	2	A					17	200.00	0.70	140.00	Review of "Notice of Disalburance" of claim and basis therefore; telephone conference with local counsel (2x) regarding instructions on steps for further handling.
1978.09301	02/12/03	12	2	A					3	100.00	0.30	30.00	Telephone conference with Debtor's Attorney regarding Agreed Order; telephone conference with local counsel.
1978.09301	02/13/03	12	2	A					10	100.00	0.20	20.00	Preparation of letter to Judge's clerk; memo to file.
1978.09301	02/18/03	16	2	A					17	200.00	0.20	40.00	Review of correspondence regarding filing of Complaint and service.
1978.09301	02/19/03	12	2	A					17	100.00	0.20	20.00	Review of documents received from Bankruptcy Court; memo to file.
1978.09301	03/03/03	12	2	A					17	100.00	0.20	20.00	Review of documents received from Bankruptcy

Client	Date	Atty	Cat	Src	H P	T X	B C	R C	Tcd	Rate	Hours	Amount	
1978.09301	03/03/03	13	2	A					1	200.00	0.20	40.00	Court; memo to file.
1978.09301	03/05/03	16	2	A					17	200.00	0.50	100.00	Telephone conference with Debtor's Attorney regarding payment issues.
1978.09301	03/14/03	13	2	A					1	200.00	0.30	60.00	Review of answer to Complaint; preparation of note regarding jury.
1978.09301	03/18/03	13	2	A					1	200.00	0.20	40.00	Drafted letter to Debtor's Attorney regarding default in adequate protection Agreement.
1978.09301	03/18/03	13	2	A					1	200.00	0.20	40.00	Preparation of e-mail to Ms. Levy regarding stay modification issues; memo to file regarding same.
1978.09301	03/19/03	16	2	A					17	200.00	4.00	800.00	Telephone conference with Debtor's Attorney regarding payments.
													Review of scheduling Order entered by Judge J. Frederick Motz; review of local rules for District of Maryland regarding same; telephone conference with attorney for Timchula and Thomas regarding scheduling Order and initial report; preparation of initial report regarding scheduling Order; dictation of interrogatories to propound to Timchula and Thomas; dictation of Request for Production to Timchula and Thomas; commence dictation of Motion to Strike Defendants' Jury Demand.
1978.09301	03/20/03	16	2	A					19	200.00	0.50	100.00	Preparation of Motion to Strike Request for Jury Trial.
1978.09301	03/29/03	16	2	A					18	200.00	1.00	200.00	Revision of Center Capital's Request for Production of Documents; revision of Center Capital's interrogatories propounded by Center Capital to Defendants; revision of Motion to Strike Jury Demand.
1978.09301	03/31/03	6	2	A					1			814.32	Refund of \$814.32.
1978.09301	04/12/03	16	2	A					1	190.00	1.00	190.00	Revision of interrogatories to be propounded to Timchula and interrogatories to be propounded to Thomas; revision of requests for production to be propounded to Timchula and to be propounded to Timchula; revision of Motion to Strike Defendants' Request for Jury Trial; preparation of correspondence to local counsel regarding same.
1978.09301	04/18/03	16	2	A					1	190.00	0.70	133.00	Telephone conference with local counsel regarding discovery and Motion to strike jury demand; preparation of draft Affidavit of Mr. Enright regarding same.
1978.09301	04/19/03	16	2	A					1	190.00	2.00	380.00	Preliminary preparation of answers to interrogatories and requests for production; preparation of letter to Ms. Levy regarding same, status, and strategy; preparation of e-mail to local counsel regarding Court deadlines and expert witness disclosure.
1978.09301	04/21/03	16	2	A					1	190.00	0.30	57.00	Preparation of e-mail to local counsel regarding expert equipment appraisal witness; telephone conference with local counsel regarding same.
1978.09301	04/22/03	16	2	A					1	190.00	0.20	38.00	Revision of correspondence to client regarding discovery and status.
1978.09301	04/23/03	16	2	A					1	190.00	1.50	285.00	Revision of Affidavit in Support of Motion to Strike Jury Demand; Deposition of regarding same; preparation of e-mail to local counsel regarding same; review of file regarding Master Loan and Security Agreement and each of the four schedules

Client	Date	Atty	Cat	Src	H T B R P X C C Tcd	Rate	Hours	Amount	
									concerning status of collateral and amounts due and owing; preparation of e-mail to Ms. Levy regarding discovery.
1978.09301	04/28/03	13	2	A	1	190.00	0.20	38.00	Preparation of demand letter to Debtor's Attorney regarding payment issues.
1978.09301	04/30/03	16	2	A	1	190.00	1.50	285.00	Review of file regarding preparation of discovery responses.
1978.09301	05/01/03	16	2	P	1	190.00	0.70	133.00	Telephone conference with local counsel regarding discovery deadlines; review of executed Affidavit and forward same; telephone conference with Ms. Levy regarding insurance and discovery; telephone conference with Mr. DePaola regarding discovery.
1978.09301	05/02/03	16	2	P	1	190.00	0.50	95.00	Review of file regarding expert opinion witnesses; telephone conference with Mr. DePaola regarding discovery (2x); review of file regarding insurance.
1978.09301	05/04/03	16	2	P	1	190.00	0.30	57.00	Review of file regarding Rule 26(a)(1) witnesses; preparation of note regarding same.
1978.09301	05/05/03	16	2	P	1	190.00	4.80	912.00	Telephone conference with Joe Rutkowski regarding knowledge of sale of Chipper and Rule 26(a)(2); preparation of notes regarding same; review of file regarding opinion witness testimony; preparation of note; telephone conference with Mr. Enright regarding same; preparation of report from Mr. Enright; preparation of Rule 26(a)(2) letter; telephone conference with local counsel regarding same (2x); preparation of e-mail to Mr. Enright regarding same (3x); telephone conference with attorney for Defendants regarding his failure to comply with Rule 33; preparation of fax to attorney for Defendants regarding report of Mr. Enright; revision of draft to response to request for production and answers to interrogatories; telephone conference with Mr. DePaola discovery (2x); preparation of correspondence to and assembly of documents for outside expert witness Mark Schickendantz.
1978.09301	05/06/03	16	2	P	1	190.00	0.20	38.00	Telephone conference with attorney for Defendants regarding interrogatories; preparation of correspondence to said attorney confirming interrogatories to delete and extension of time.
1978.09301	05/15/03	16	2	P	1	190.00	0.30	57.00	Multiple exchanges of e-mails with local counsel regarding steps for further handling.
1978.09301	05/16/03	16	2	P	1	190.00	1.40	266.00	Extensive telephone conference with Mr. DePaola regarding discovery responses; dictation of revisions to discovery responses and answers to discovery.
1978.09301	05/17/03	16	2	P	1	190.00	4.50	855.00	Legal research regarding rebuttable presumption issues and pleading issues concerning the Defendants' affirmative defenses under Part 6 of Article 9 of the UCC, and conclude that Motion for Summary Judgment should be brought at this time despite ongoing discovery; legal research regarding Maryland law and Connecticut law concerning same; review of pleadings; preparation of e-mail to local counsel regarding same; dictation of Motion for Summary Judgment against Personal Guarantors Timchula and Thomas;

Client	Date	Atty	Cat	Src	H	T	B	R	Rate	Hours	Amount		
-----	-----	-----	---	---	P	X	C	C	----	-----	-----		
												dictation of Memorandum of Law in Support of Motion for Summary Judgment on each of the four schedules (including the schedule being paid through the Bankruptcy Court); dictation of Affidavit in support of Motion for Summary Judgment and proposed Order; preparation of e-mail to Ms. Levy regarding Motion for Summary Judgment.	
1978.09301	05/19/03	16	2		P				1	190.00	2.30	437.00	Revision of Center Capital's Motion for Summary Judgment, Final Judgment Order, Memorandum of Law in Support of Motion for Summary Judgment, and Affidavit of Craig Enright in Support of Motion for Summary Judgment; revision of Plaintiff's Answers to Interrogatories and Plaintiff's Response to Request for Production.
1978.09301	05/21/03	16	2		P				1	190.00	0.30	57.00	Finalize Interrogatory Answers.
Total for Client ID 1978.09301										Billable	54.80	11201.32	CENTER CAPITAL CORPORATION
										Non-billable	0.10	0.00	CENTER CAPITAL V. ENVIRONMENTAL RECYCLING &
										Total	54.90	11201.32	
Grand Totals										Billable	54.80	11201.32	
										Non-billable	0.10	0.00	
										Total	54.90	11201.32	

Detail Cost Transaction File List
ASKOUNIS & BORST, P.C.

Client	Date	Atty	E/A	Src	H	T	B	R	C	Amount
					P	X	C	C	T	
1978.09301	12/30/02	2	E	A	A				0	19.66 Delivery via (72) FEDERAL EXPRESS.
1978.09301	12/31/02	2	E		A				0	43.66 Postage.
1978.09301	12/31/02	2	A	A	A				0	75.00 Costs advanced for (126) United States Bankruptcy Court Clerk to file Motion to Modify Automatic Stay.
1978.09301	01/21/03	2	E	A	A				0	22.94 Delivery via (72) FEDERAL EXPRESS.
1978.09301	01/31/03	2	E		A				0	189.49 Postage.
1978.09301	02/26/03	2	A	A	A				1	461.36 Local counsel statement for services rendered (956).
1978.09301	02/28/03	2	E	A	A				0	12.37 Delivery via (72) FEDERAL EXPRESS.
1978.09301	02/28/03	2	E		A				0	13.89 Delivery via (72) FEDERAL EXPRESS.
1978.09301	02/28/03	2	E		A				0	70.18 Postage.
1978.09301	02/28/03	2	E	A	A				0	55.84 Legal research via (31) WEST GROUP.
1978.09301	03/24/03	2	A	A	A				1	663.61 Local counsel statement for services rendered (956).
1978.09301	03/26/03	2	A	A	A				1	156.48 Local counsel statement for services rendered (956).
1978.09301	04/23/03	2	E		A				0	1.54 Costs advanced to Public Access to Court Electronic Records.
1978.09301	04/25/03	2	A	A	A				1	236.50 Local counsel statement for services rendered (956).
1978.09301	04/30/03	2	A	A	A				1	150.50 Local counsel statement for services rendered (956).
1978.09301	04/30/03	2	E	A	A				0	14.09 Delivery via (72) FEDERAL EXPRESS.
1978.09301	05/05/03	2	E	A	P				0	12.99 Delivery via (72) FEDERAL EXPRESS.
1978.09301	05/05/03	2	E	A	P				0	14.32 Delivery via (72) FEDERAL EXPRESS.
1978.09301	05/05/03	2	E	A	P				0	14.32 Delivery via (72) FEDERAL EXPRESS.
1978.09301	05/20/03	2	E	A	P				0	14.25 Delivery via (72) FEDERAL EXPRESS.
Total for Client ID 1978.09301										=====
										2242.99 CENTER CAPITAL CORPORATION
										2242.99 CENTER CAPITAL V. ENVIRONMENTAL RECYCLING &
Grand Totals										=====
										2242.99
										2242.99

EXHIBIT 2